

EXPRESS MAIL CERTIFICATE EL 838 250 968 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

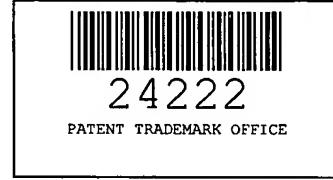
1-31-02

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10/03/2001
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In Re Application of: SCHMIDT, Michael Group Art Unit:
Serial No. Examiner:
Filed: Herein Atty. Dkt. No: D-4558-US
For: DIGITAL FM RADIO SYSTEM

To: Assistant Commissioner for Patents Fm:
Box Amendment/IDS
Washington, D.C. 20231



CERTIFICATE OF MAILING 37 CFR 1.8: I certify that this correspondence is being deposited on the below date with the U.S. Postal Service with sufficient postage as FIRST CLASS MAIL addressed to: Assistant Commissioner of Patents, Washington, DC 20231.

Date: Vernon C. Maine, Reg. No. 37,389 or Scott J. Asmus, Reg. No. 42,269

CERTIFICATE OF MAILING 37 CFR 1.10: I certify that this correspondence is being deposited on the below date with the U.S. Postal Service with sufficient postage as EXPRESS MAIL POST OFFICE TO ADDRESSEE addressed to: Assistant Commissioner of Patents, Washington, DC 20231.

Date: 12/21/2001 Vernon C. Maine, Reg. No. 37,389 or Scott J. Asmus, Reg. No. 42,269

Dear Assistant Commissioner:

INFORMATION DISCLOSURE STATEMENT

Applicants submit this statement and the attached 1 sheet(s) of form PTO-1449 and 19 specimens of prior art and other information in accordance to the duty of disclosure under 37 C.F.R. §§1.56, 1.97, and 1.98, and requests consideration hereof.

Compliance with 37 C.F.R. §1.97: This Information Disclosure Statement is filed within three (3) months of the filing date of a National Application or before the mailing date of a first office action on the merits. No fee or certification is required.

Information Cited: The Applicants hereby make of record in the above-identified application, the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the reference. As all the references listed on attached Form PTO-1449 are in English, no commentary is required.

Remarks: A copy of each reference, together with a listing on Form PTO-1449(modified), is submitted herewith. Applicants respectfully request that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;

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2. The enclosed form PTO-1449 (modified) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application; and

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined in 37 C.F.R. §102.

Notwithstanding any statement by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,



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Form PTO-1449				<i>Complete if Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10-32235
				Filing Date	herewith
				First Named Inventor	SCHMIDT, MICHAEL
				Group Art Unit	
				Examiner Name	
Sheet	1	of	1	Attorney Docket Number	D-4558

10-32235
12/21/01

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	U.S. Patent Document Number Code	Kind	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		5,428,610		Davis	06-27-1995
		5,473,290		Scomazzon et al.	12-05-1995
		5,524,051		Ryan	06-04-1996
		5,561,849		Mankovitz	10-01-1996
		5,581,576		Lanzetta et al.	12-03-1996
		5,734,780		Ichiura et al.	03-31-1998
		5,751,806		Ryan	05-12-1998
		5,949,796		Kumar	09-07-1999
		5,960,328		Kimura et al.	09-28-1999
		6,031,418		Fowler	02-29-2000
		6,088,577		Zhang et al.	06-11-2000
		6,252,965		Beard	06-26-2001
		6,256,303		Drakoulis et al.	06-03-2001
		6,307,890		Dyson et al.	10-23-2001
		6,295,362		Zhang	09-25-2001

FOREIGN PATENT DOCUMENTS					
Examiner Initials	Cite No.	Foreign Patent Document Office Number Code	Kind	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		W099/50980		US Digital Radio, Inc.	10-07-1999

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No.	(Including Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc...), date, page(s), volume-issue number(s), publisher, city, and/or country where published.)			
		✓ ANDERSON, JOHN, Digital Radio = Death, About.com, February 6, 2001.			
		✓ ELVING, BRUCE, FM SCA—Subsidiary Communications Authorization or FM Subcarrier Information -- also called subsidiary Communications Service (SCS), April 17, 2001.			
		✓ VERNON, THOMAS, Mobile Technologies, How to Cope?, Radio Work Newspaper, March, 14, 2001.			

Examiner Signature		Date Considered	
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* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.